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MEMORIAL.

CHARLES DELANO.

BORN AT NEW BRAINTREE, MASS.,
JUNE 24TH, 1820.

DIED AT NORTHAMPTON, MASS.,
JANUARY 23D, 1883.

PUBLISHED BY MEMBERS OF THE
HAMPSHIRE BAR.

1883.

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Life Sketch.

Charles Delano was born at New Braintree, Worcester county, Massachusetts, June 24, 1820. His father, Gideon Delano, born June 4, 1771, was the son of Thomas Delano, born May 10, 1704, who was the son of Jonathan Delano, born about 1648, who was the son of Philip De La Noye, a French Protestant, who joined the English at Leyden, and arrived at Plymouth in the second vessel (the Fortune) on Nov. 9, 1621, and settled in Duxbury. Gideon Delano, in 1808, married Betsey Brimhall for his second wife, and Charles was the youngest but one of their five children. They lived in New Braintree until Charles was about thirteen years of age, when they removed to Amherst, in order to give their children better facilities for education. Charles was fitted for college at Amherst Academy, and graduated at Amherst College in 1840, with high honors. In the following year he gave much attention to lit-

erature and music, in connection with his intense devotion to the studies of his profession. He early made choice of the legal profession as his occupation in life, and immediately after leaving college he entered the law office of Hon. Osmyn Baker, in Amherst, as a student. Soon after that time, Mr. Baker was chosen to represent his district in Congress, and Mr. Delano, who had been admitted to the bar in 1842, took charge of his office business during his absence. While Mr. Delano was a student in Mr. Baker's office, Samuel T. Spaulding, afterward District Attorney for the Northwestern District and Judge of Probate and Insolvency for the County of Hampshire, and Henry M. Spofford, afterward Judge of the Supreme Court of Louisiana, were students in the same office. In January, 1847, Mr. Baker and Mr. Delano, desiring a larger field of labor, removed to Northampton and formed a copartnership, under the firm name of Baker & Delano. This firm at once stepped into the front rank of practitioners at the Hampshire bar. One of the first important cases that it was engaged in was the celebrated contest over the will of Oliver Smith of Hatfield. Baker & Delano were the local counsel of the eight towns named in the will as beneficiaries, and with them was associated Daniel Webster, the contesting heirs being represented by Rufus Choate. This co-

partnership continued until 1859. In 1848, the contest over the will proving successful, Mr. Baker was made president of the board of trustees of the Smith Charities, and from that time withdrew from active practice at the bar. On Sept. 12, 1848, Mr. Delano was married, by Rev. A. M. Colton, then pastor of the Village Church in Amherst, to Miss Sarah B. Gridley, daughter of Dr. Timothy J. Gridley of that town. They have had three children—Chas. G. Delano, Winthrop Delano, and a daughter, Sarah, who died in infancy. In 1849, Mr. Delano was chosen Treasurer of the County of Hampshire, and held that office by successive re-elections nine years, retiring from it in response to a call to a higher field of service. In the fall of 1858, without any preliminary canvass in his behalf, he was nominated by the Republican party, then newly-formed and flushed with the hope of victory, which was soon realized in the election of Abraham Lincoln to the Presidency, for Representative to Congress, and was elected by a majority of 3,568 in a total vote of 10,634. He was re-elected in 1860, by a majority nearly twice as large, and served in Congress four years. He was chairman of the committee on the District of Columbia, also chairman of the committee on Arms and Arsenals, and a member of the committee on Pensions. Returning from Congress in the midst of the ex-

citing scenes of the war, he devoted himself with redoubled zeal to the work of his profession. In June, 1859, he formed a copartnership with William E. Turner, Esq., which continued until Mr. Turner's decease in January, 1868. In November of the same year, he became associated with John C. Hammond, Esq., who had been a law student in the office of Delano & Turner, and the firm of Delano & Hammond continued until the decease of the senior partner.

Aside from his arduous labors at the bar, Mr. Delano devoted much time to literary culture and work. He was a member of the Northampton Literary Club, an association of the leading professional men of the town. In 1868, he delivered the annual address before the Hampshire, Franklin and Hampden Agricultural Society. He also devoted much time and labor to the affairs of the town. He was a regular attendant at the town meetings, took an active part in the discussions, and was very influential in shaping municipal affairs. He erected two fine residences for himself, one on Phillips Place in 1850, and one near the agricultural show-grounds in 1870. He served as a director of the Hampshire Mutual Fire Insurance Company, and as a trustee of the Clarke Institution for the education of deaf mutes, from 1877 until his decease. He was instrumental more than any other man in founding the Hampshire Law

Library, and was appointed a member of the original committee of the Bar having the matter in charge. He devoted much time to this labor, and personally examined and directed the purchase of most of the books upon its shelves. But the greatest labor of his life, outside of his law practice, and in which he engaged with an enthusiasm born of genuine love of the work, was in connection with the Northampton Public Library. From the time of the gift of $40,000 to the Library by John Clarke, he became deeply interested in the welfare of that institution, and was chosen by the town a member of the first Library Committee, being chairman of the board during the last two years of his life. He was also chairman of the committee chosen by the town to prepare a plan and superintend the erection of the Memorial Hall and Library building. He devoted a great deal of time to this task, and was almost daily in attendance at the building while the work of construction was in progress. His devotion to the interests of the Library amounted to a passion, and no labor or sacrifice was too great for him to make in its behalf. He spent much time in the work of selecting suitable books for the Library, and prepared extensive memoranda relating to books which he proposed to have purchased. In 1855, about the time that he was elected to Congress, he was informally

offered a professorship in the Harvard Law School, which he felt obliged to decline, though fully appreciating the high honor thus conferred upon him.

From the time of his first entrance into the practice of law, Mr. Delano had a large and growing business. He spared no expense of time or effort in his work. He was never idle. Vacations he never took. He was enlisted in most of the important cases tried in Hampshire County during his long term of practice at the bar, and was counsel for many towns and corporations. For a long series of years he was counsel for the town of Northampton. He was also counsel for the Smith Charities, for the First National Bank of Northampton, for the Northampton National Bank, and for the New Haven and Northampton Railroad Company. In the memorable trial of Scott and Dunlap for robbing the Northampton National Bank, he was the leading counsel for the Bank and the prosecution, and the remarkable success of that protracted trial was in a large degree due to his incessant labors and determined and comprehensive grasp of the strong points of the case. In June, 1878, he was appointed by Governor Rice as counsel for the Commonwealth of Massachusetts in all matters relating to the Hoosac Tunnel and the Troy and Greenfield railroad, and held that position, with the entire acceptance of the principal

state officials, to the time of his death. His influence in shaping the policy of the Commonwealth in regard to this enterprise was great and increasing.

Thus, for more than forty years, he labored at the bar and as a citizen, with rare industry, conspicuous zeal, and ever-increasing success, and during the greater portion of his legal service he was confessedly the peer of all his associates. The esteem in which he was held by his brother members of the bar is fully attested by their generous and appreciative memorial tributes to his legal abilities and manly qualities, and their appreciation of his worth by his fellow-townsmen is shown by the action of the Library Committee and by the spontaneous and unanimous action taken at the first town meeting following his decease.

To his memory,—as a lawyer of eminent abilities and distinguished success,—as a citizen of unselfish devotion to the public welfare,—as a man of spotless integrity and high sense of honor,—as a friend, faithful and sincere ; a neighbor, kind and considerate ; an associate, welcome, generous, and just,—this memorial volume is respectfully and affectionately dedicated.

Tributes by the Bar.

Saturday, February 24, 1883, was the time set for the presentation of the resolutions of respect for the memory of the late Hon. Charles Delano, and the offering of remarks by members of the bar and the presiding judge. The court met at ten o'clock. There was a large attendance of members of the bar and citizens, including a number of ladies, filling every available seat in the court room. Judge Barker presided, and by his side sat Judge Allen of the Supreme Judicial Court. On the desks of the judge and the clerk were offerings of flowers and evergreens, and the chair usually occupied by the deceased was appropriately draped in mourning. The committee previously appointed, consisting of D. W. Bond, J. C. Hammond, Wm. P. Strickland, Wm. G. Bassett, and W. Hamlin, presented through Mr. Bond the following resolutions :

Whereas—In the recent decease of Charles Delano, the Hampshire Bar has lost one of its most honored and experienced members, we who were associated with him desire to place upon record a just tribute to his memory and to preserve our estimate of his professional life, therefore,

Resolved—That by his industry, energy and perseverance, his great natural ability, his studious habits and painstaking research, his forty years of active practice at the Bar, he acquired a vast knowledge of all the affairs of life and became familiar with all the principles of jurisprudence and their application to human affairs ; his commanding presence, his broad and comprehensive views, his culture, his great learning, and the force and accuracy of his language, made him a most successful advocate ; the soundness of his judgment, his unyielding devotion to the interests of his clients, and his undoubted integrity, secured for him the confidence of the community to an unusual degree : his social nature, his high sense of honor, his esteem and respect for his brethren of the Bar, endeared him to us all.

Resolved—That by his interest in public affairs, by his exertions to promote the public good, by his valuable services so freely given to secure the benefit of a free public library to all classes of people, by his assistance at the meetings of the town, by his conscientious discharge of all public trusts, he has faithfully performed his duty as a public-spirited citizen and earned the gratitude of this community.

Resolved—That we request that these resolutions may be extended on the records of this court, and that a copy be transmitted to the family of the deceased.

Following the reading of the resolutions, remarks were made by Mr. Bond, Mr. Hammond, Judge Bassett, J. B. O'Donnell, Geo. M. Stearns of Springfield, and S. O. Lamb and Judge Conant of Greenfield.

REMARKS OF D. W. BOND, Esq.

When I commenced practicing law in the courts here, Mr. Delano was one of the three lawyers who were doing the principal part of the professional work at the county seat. During the twenty years of my work here I was very seldom associated with him in the preparation or trial of cases; my acquaintance with him as a lawyer has been mostly through our practice upon opposite sides in cases in which we have been engaged. During this practice I have had ample opportunity to learn something of his industry, energy and perseverance, his devotion to the interests of his clients, his untiring exertions in their behalf, and of his great learning and ability.

During this time I never knew him to fail of attendance at every term of the court; if he ever took any rest from the hard work of his profession I never knew it; except when he was away from home upon some business, we always found him at his work here. A little more than a year ago, Mr. Delano said here: "If Providence shall graciously lengthen out my life only a few months, I shall have been going in and out of this court house full forty years as a member of the Hampshire Bar."

Very few men tried their cases with the energy and perseverance that he did. Perhaps in this re-

spect his professional work has been criticised more than in any other, and I have thought that in the trial of cases he went farther than any other lawyer in this part of the Commonwealth, in the line of professional duty as marked out by Lord Brougham ; he seemed for the time to forget everything concerning himself and to think only of his client's cause. Those of us who have practiced with him, while we felt that at times he perhaps went to the extreme limit of professional conduct in the interest of his client in the trial of cases, will always remember that he never compromised his clients' interests out of any considerations respecting himself or others. So long as anything remained which could be done by him for his client he never failed to do it, and sometimes it seemed as if the more forlorn the hope the more energy he put into his work. " We will meet you at Phillippi," was an expression he sometimes used, to indicate to us his determination to follow his client's cause just so long as anything remained to be done in his behalf, a determination which we knew would be carried out.

Those of us who have practiced with him will remember him, too, for his learning and ability. Whatever may be said of men in other departments of labor, it comes nearer being true in our profession, that genius is the power to labor, and all will agree

that "the necessary factor or co-efficient of genius and of any talent, is incessant diligence." The nourishing bread of the mind can only be earned by the sweat of the brow. The constant labor of our brother in everything that pertained, directly and indirectly, to his profession for a period of over forty years could not but make him learned and great. His "triumphs" at the bar have been referred to since his death, using that word in the sense of his successful prosecutions of his clients' causes. In this sense he undoubtedly triumphed. Yet a lawyer has so little control over his position in cases which are tried in the courts, that I should hardly measure his success by the number of cases in which he secured judgments in favor of his clients, as compared with the number in which his clients were unsuccessful. I should say that the success of a lawyer was rather in the amount of knowledge he acquired of mankind and the business affairs of life, his familiarity with the principles of jurisprudence and their application to the varied interests of mankind, and in the confidence he secured in the community, where he lived and practiced his profession, in his ability and integrity. Measured by this standard the success of our brother was great. During his long professional life he had become familiar with the details of almost every human industry, and with the elements which

influence human conduct ; his interest in books, and particularly his interest in the public library of this town, his love of study, and knowledge of new publications, all testify to his learning in the world's work. I am told that during the time he was a member of a literary club in this town, which has held its meetings once a month, he attended over two hundred and sixty meetings and took an active part in the proceedings.

In the trial of cases he showed his acquaintance with every subject which was the cause of controversy. While he was familiar with such matters, he was still more familiar with the principles of jurisprudence and with their application to the affairs of life. He was not only familiar with the common law, with constitutional and statute law, but he seemed to take especial interest in equity practice ; I think we should find upon examination that he filed more bills in equity in this county than those of all the other lawyers together. I think I can say, too, without any disparagement of others, that very few lawyers were more familiar with the technicalities of criminal law than Mr. Delano. If the Government secured a verdict against his client it was because the law and the evidence were clearly against him ; if there was any doubt either in the evidence or the law applicable to it, his client was sure to re-

ceive the benefit of such doubt. His interest in our law library, for it was due largely to his selection that it has been so well supplied with valuable books, shows his love for the study of the law. For several years he has been one of the Committee of this Bar appointed by the court for the examination of applicants for admission, and my services with him on such committee gave me a further opportunity to observe his learning as a lawyer.

The extent to which people resorted to him for counsel and assistance shows the confidence the community had in his ability and integrity. The farmer applied to him for assistance in matters which affected the title to his real estate or the conduct of his business ; the mechanic applied to him to secure the wages for his labor ; the manufacturer applied to him for assistance in the important matters affecting his business ; our large monied corporations employed him to protect their interests ; executors and administrators sought his aid in the performance of their duties ; the managers of large trust funds were guided in the execution of their trust by his counsel ; great railroad corporations intrusted their interests to him ; the officers of municipal corporations resorted to him for assistance in the management of municipal affairs ;—there was no department of life's labor where he was not called upon to give counsel

and assistance. To such an extent was this the case, that I think it can be truly said of him that he had the confidence of this community to an extent that few lawyers have ever attained. Judged by the standard of his learning and the confidence reposed in him, we can say that few lawyers in our Commonwealth have secured a greater triumph than Mr. Delano.

While I admired him for his learning and his ability, and for his success in his profession, I admired him still more for his high sense of honor. My experience with him during the last twenty years in the court-house and elsewhere, leads me to conclude that few men were governed by a higher sense of honor ; in the excitement of a controversy, he sometimes used expressions which to the opposite side seemed severe and uncalled for, but those of us who knew him well, felt that he would not deliberately do a dishonorable act ; if he was sometimes severe in his comment upon the conduct of others, we felt that it was an honest expression against what he considered dishonorable conduct.

I admired him too for his independence in the pursuit of knowledge. In his conclusion, he apparently limited himself by no long cherished opinions, however popular they might be ; he seemed to search for truth for its own sake, without reference to what

others believed or might think of him on account of his belief. The world, in my judgment, would make more progress if all others could, in this respect, act as independently in their investigations as he did.

It ought not to be forgotten that, as a citizen, he was always active in matters of public interest; he watched carefully the proceedings of our town meetings, and many a vote passed would be found upon examination to have been prepared by him; if legislation was needed to secure advantages to the people, he was active and influential in securing it; if he was appointed to perform any service for his fellow citizens upon any committee, he performed his duty faithfully.

It will be a long time before this community will become so accustomed to his absence as not to feel its loss by his death; it will be a long time before we shall become accustomed to his absence at our terms of court; this community will not soon forget him; this Bar will always cherish his memory. I believe as we look back over his life's work and compare it with that of others in his profession whose names have passed into history, we shall find that his name is entitled to a place in the history of this locality second to none of the great lawyers who have preceded him.

It is due to his memory, to the customs and tradi-

tions of this Bar which he did so much to maintain, that we, his surviving associates, should pause in our work to pay some tribute to his memory, however inadequate it may be, and to ask that the Resolutions which I have read be placed upon the records of this Court, that we may preserve, to some extent, for the benefit of others in the future, our estimate of his professional life.

REMARKS OF J. C. HAMMOND, Esq.

In rising to second the resolutions which have been presented as our tribute to the memory of Mr. Delano, the fifteen years of daily association with him crowd upon me and any words which I can utter fall entirely short of expressing the loving respect for him who has been through all this time my teacher in the law and who has been a friend to whom I had become attached as to an elder brother.

He was an instructor, too, by his daily conversation, marked as it was by purity of thought and diction and expressive of the great principles of the law in their clearest light.

We all recall how his mind ever gathered stores of all knowledge and brought them into service in his

profession. He deemed nothing of learning or culture foreign to the high standard which he always kept before him. The best works in all literature were the hand-books of a leisure hour even after the day had devolved to the most closely contested cause.

Our resolutions make mention of his studious habits and painstaking research which marked his forty years of practice at this Bar. It is of interest to note that at his first appearance before the Supreme Court in September, 1844, he successfully argued the case of Eastman *vs.* Foster, 8 Met. 19, which has ever since been the leading case in this state establishing the rights of creditors to the collateral security held by sureties. The bill of exceptions in Williams *vs.* Gridley drawn and argued by him in 1845, appears in Colby's Practice, page 491, as a model form, and it has been understood that the selection of it was at the instance of Chief Justice Shaw, who then and ever afterwards manifested great interest in the ability with which Mr. Delano discussed principles of jurisprudence. In a conversation had only a few months since, he told me of a tender to him of a position in the Harvard Law School tendered through Judge Shaw's kind offices. But his election to Congress prevented farther consideration of it.

Those who knew him best, knew also that he was not alone the scholar. They knew what a heart of

sympathy controlled the man. The words of eulogy which have in this room been pronounced by him in memory of those who have passed on before, were no mere form—were no mere compliance with an honored custom, but were words inspired by the respect and affection he always entertained for those his coworkers and associates.

Our resolutions note his social nature and high sense of honor. Constantly and intimately as I have known him it is my great pleasure at this time to emphasize the conviction we all have, that no double purpose, no unworthy motive, ever divided his interest in public affairs. We note the qualities which endeared him to us all.

Few would suspect that the strong man so ready to give battle for his client's cause, was in the quiet of his life and to the last a mourner for a little child, an infant when they buried her long years ago. Yet every time he saw the like grief coming upon one and another of us, I could see that his great heart was stirred with sympathy, and he continually cherished the sorrows which he had no wish to forget.

Yet his daily life was cheerful and full of sunshine. He loved his work. Research into the deep things of the law was but a pastime to him. It seemed to me that his early return to work each successive morning had as much of enthusiasm in it as there is in

the bright school boy's application, now to study, now to recreation.

To the end his natural force of mind was not abated, but there came a time when, as he expressed it, "the beginning of the end was seen approaching."

For some months he had been in impaired health, but of late, I, with others, had tried to convince ourselves and him of returning strength. I left him on Tuesday, Jan. 16th, for an absence of a week. He gave me a word of good cheer for my work, a kind and cheerful good bye. Upon my return, Mr. Delano's seat was vacant, and we meet him here no more. The duties of life permit us to pause but a moment in these words of remembrance, and while we close up the ranks and march on, it is a mournful pleasure to keep fresh the memory of one so endeared to us all.

REMARKS OF W. G. BASSETT, Esq.

More than half of Mr. Delano's professional life was over when the oldest of us here in active practice came to the Bar. Although he was not old in years, he seemed a veteran practitioner spared to us from the past. The four judges who were present here at the term for the three river counties in 1844, are

dead. Of the twelve lawyers who appeared in causes that term, only one survives. Mr. Delano then first appeared before the full court, and was in two cases alone. Since then, eighty-one volumes of our one hundred and thirty-two volumes of decisions of the Supreme Court, have issued. Like Rufus Choate, he determined to be, and became, "a lawyer, a reasoner, and a man of business." His success at the Bar was early assured. He engaged in the laborious pursuits of his profession with a fidelity, which with his ability, could bring but one result, and he achieved a proud success. He became a great lawyer. How many-sided he was! He was sound and safe as an adviser. He tried a case handsomely and effectively. In examining witnesses before a jury he adapted his plastic hand to the exigencies of the occasion. He treated witnesses who seemed candid and fair with a deferential politeness that was fascinating. But, upon occasion, he had a way of taking a witness in hand with vigor and a spirit of startling adventure. A designing witness never prospered under his treatment; and an evasive witness was followed with a singleness of purpose until the truth when it reluctantly came was emphasized and made doubly helpful. He was methodical, discriminating, always forcible and eloquent, in arguing a question of fact whether to the court, or a jury. He was not

wanting in what has been called "the logic of unprepared debate." His hasty arrangement of a mass of matter was felicitous. His purely legal arguments were exhaustive presentations of the questions at issue. Nothing escaped his vigilance. He was familiar with all matters of his profession.

He had no specialty. He was in "general" practice, and did not withdraw from any part of it up to the last week of his life. He had the power of putting his ideas into good English, whether written or spoken. He read everything; but he lived among men as well as with books, and gathered from both. He was always at work. He worked too hard. Mr. Herbert Spencer told us last November, that "we have had somewhat too much of the 'Gospel of work.' It is time," he said, "to preach the Gospel of relaxation." Mr. Delano illustrated the truth of both propositions. He died too young. He had culture with his scholarship, and exhibited refinement and taste, and a delicate fancy, in many and little ways. He was attentive to his dress. His briefs were neatly prepared and tied with a bit of ribbon. Who has ever seen him enter here without arranging the handsome hair over his forehead in a dainty manner, as he entered? His kindly and affectionate nature was shown in his fondness for animals, as well as in his frank and handsome treatment of men. His

dog has not been in court this term ; but it is the first term for many years that he has not come in and passed the time here, as he did elsewhere, with his master who was so fond of him. We now know what the public thinks of our brother. The tributes of honor and affection already paid cannot be mistaken. They are hearty and sincere. They recognize great public services rendered. So genuine and useful a man as he could not be unappreciated. He was no Pharisee. He was better than he pretended to be. To us, his brethren who knew him, his faults seem, as Lord Kenyon said of those of Erskine whom he loved and was proud of, like "spots in the sun."

Mr. Delano was an ardent admirer of Mr. Choate, whom he resembled in his general and legal scholarship, and in his habit of hard work. The closing words of his published tribute to the memory of Mr. Choate are so characteristic and suggestive of Mr. Delano himself that I will give them here :

"Reminiscences of Mr. Choate are among the most delightful memories of the lawyer. Few who have ever known him can dwell upon his death otherwise than as upon a personal and domestic affliction ; and I count it among the chief felicities of my life, not merely to have heard him at the Bar, but to have seen him in his office, had a glimpse of him at home among his books, and listened to him at his fireside."

REMARKS OF J. B. O'DONNELL, Esq.

Your Honor, I feel that I ought not to let this occasion pass without paying my humble respects to the memory of the illustrious dead that we are assembled here to honor and mourn. Though I knew of Mr. Delano many years before my admission to the Bar about five years ago, I was a stranger to him until he, with others, examined me for admission to this Bar. During those years I learned to respect and honor him. He was always ready with a word of good cheer, and ever willing to render aid. I have had the great pleasure of his assistance as senior counsel in several cases, and my association with him was among the pleasantest hours of my life. He was one of those exalted and noble men in whose presence one is always at ease, and at home. From his various duties and busy life he never failed to make time to assist young men.

Shortly after my admission I was consulted as to whether or not the Northampton Lunatic Hospital could be summoned into court in foreign attachment. Like some other young lawyers perhaps, I guessed that it could not. On the strength of my opinion the case was tested, but the magistrate decided against me, and on appeal the learned judge of the Superior Court decided against me. I then told

my client that I had lost confidence in the correctness of my opinion, and advised him not to spend any more money without counsel from a wiser head than mine. He at once suggested Mr. Delano, and I gladly laid the matter before him. After a few days he told me that he thought the institution could not be held, and gave reasons why it could not. Relying upon the strength of this opinion, I took the case to the Supreme Judicial Court, which in due time confirmed Mr. Delano's opinion. Shortly afterward I met him and asked how much I owed for the counsel, and he said, "Not anything." I said that my client won on the strength of his opinion, as I had lost faith in mine after the decision in the lower court. He then said, "I did not consult with you for the interest of your client, I did it for you, and let me say further, Mr. O'Donnell, at any time that you think I can render you any assistance I shall be happy to do so if I can. It will be a great pleasure to me at any time to assist you or any other young attorney." Imagine my feelings, if your honors please, when a gentleman and a scholar, and a lawyer of the highest rank, whose time is always wholly occupied, invited me, a comparative stranger, to consult with him upon the one thousand and one matters that might arise in my practice, and of which I knew nothing. The warm and earnest manner in

which that invitation was extended I have not forgotten, and I never can forget it while kind Providence permits me to retain memory and understanding. I believe and can say, though not authorized, for the other young members of the Bar, that we loved and revered him. But it was not by the members of this Bar alone that he was admired and loved.

When the sad news of his death was whispered on the streets, men who had never exchanged a word with him gave vent to their sorrow. His neighbors of every class and condition in life held him in high esteem.

One of the first cases that I as a lawyer was consulted about, was one against Mr. Delano himself, on account of an injury resulting from acts of his little dog. A neighbor of his was riding up to his house, and when in front of Mr. Delano's residence, the little dog ran out and frightened the horse so that he kicked the dashboard in, ran up against a post, threw the two occupants out and broke the leg of the neighbor, above the knee. He wanted to know if he could not recover out of the dog fund, I said he could not recover for personal injuries out of the dog fund; it was only damages to property. But he could recover against Mr. Delano. Said he, "I have lived a near neighbor to Mr. Delano for thirteen years, and a better, kinder, or more accommodating gen-

tleman I never saw. No, Mr. O'Donnell, I would not sue him if both my legs were broken. He felt as badly about it as I did, and it would not have happened if he could have helped it." This is the testimony of one of those who knew him best. Everywhere he was loved and respected. And while we are here to-day mourning his loss, let us hope, let us trust, that he is enjoying everlasting happiness in the bosom of the Savior of mankind.

REMARKS OF GEO. M. STEARNS, ESQ.,

OF CHICOPEE.

I have absented myself from the business of the courts that I might also be present here and bring my chaplet, even though it be of twisted twigs and withered leaves, and lay it upon the bier of our departed friend. I rise with a sense of great personal bereavement. I had practiced with my brother for a third of a century, and I have lost not only a brother but a friend. To come into this old court-house, which has been so indissolubly linked with his memory for more than thirty years, and not find him here, is inexpressibly sad. Brother Delano was a great lawyer; he made, invented and discovered more law than any man in this portion of the state;

he was a great student of the common law, and he was deeply versed in the vexations, intricacies and wonderful mazes of the English Chancery practice. As a lawyer he was undramatic, except as earnestness and sincerity are the supremest inspiration of effective acting. He went directly to the strength of his case; he wasted no time on non-essentials, and frittered away no strength upon unimportant things; the real merits of the case satisfied him; and not only did he march with his standard in the front of the strength of his own cause, but he attacked the center of his enemy's cause; he never drove in the enemy's pickets and scattered his skirmish lines and then raised a fictitious clamor before the jury that he had triumphed, but, as I have stated, he attacked his adversary in his strongest position, and the result was that he had no compromise verdicts; he either was defeated or his victory was a rout. He never retreated, he never wearied, and we can all testify that he never lost courage There was no fight too desperate for him, and no matter how deeply the developing circumstances embarrassed his case or enveloped it, he never faltered in his loyality to his client.

In my opinion, the great loss that the public has suffered, and I certainly know the great loss that I have suffered, is not in the death of this great law-

yer, for lawyers' work is soon forgotten. Men come to us in their extremities and in their troubles, and they use us as instrumentalities to win the objects which they seek, and we are forgotten like a garment; but it is the loss of Mr. Delano as a man that strikes most deeply to us all. As a man he will never be forgotten. He was a greatly beloved man. He was honest to a fault, and he never paltered with compromises, he never hunted for avenues of escape or evasion, he met his misfortunes like a hero, and he strove to bear them alone; he sought for no companionship, except in things pleasant and enjoyable. I may truly say that I think he was a victim, a martyr, to integrity; he died rather than the shadow of a stain should come upon his unsullied name.

When we met Brother Delano, there was no hypocritical over-pressure of the hand, there were no exaggerated professions of welcome, but we knew that we held an honest hand in ours, and that an honest heart was in our front, and that his words were the honest vehicle of honest thought. He had, I claim, no culpable weakness; what the public spoke of, what has been called weakness, was but the excess of his greatness; it was the overpour of the superabundant munificence of his virtues. Great forces only explode; the zephyr sobs and sighs, but the tornado roars; little currents shiver and tremble,

but the heavens peal and thunder. Only little men can live fettered and trammeled by the limitations of a charted-plotted scheduled conventional morality. With his wealth of impluse, with his treasures of emotions, and with his affluence of generosities, you might as well ask the columbiad loaded to the throat to imitate the insignificance of an uncharged pistol, as require him to shrink and shrivel his life to the measure of untempted littleness. Such lives as his fix our faith in immortality. No hand has ever parted the draperies of the morn, or shaded the noon-day glare, or lifted the sunset sheen, that we might gaze into the mysteries beyond ; but when the oak yields its fruits to the autumn frost, and the shrunken, shriveled acorns touch the ground, we have no hope they will live again, but when the full formed, complete and perfect rounded fruit touches the earth, we know it will spring into increased and renewed life.

REMARKS OF S. O. LAMB, Esq.,

OF GREENFIELD.

May it please the Court : The offices of this day belong mainly to grief. We all feel, and we are all more or less depressed by the feeling, as we assemble in this court room to-day, that he who, for many

years, was one of the most prominent actors in the important affairs here transacted, has gone from us. His chair here is empty to-day. His manly form, so familiar to us, has suddenly vanished from our sight. His voice, to which we have ever listened with attention and respect, will never be heard here again in any cause. This place which knew him so long and so well, will know him no more. He has gone from us, and to us it is befitting to bear our hearts in grief.

My acquaintance with Mr. Delano began about thirty years ago. Since that time I have met him frequently, sometimes in causes in which we were engaged on the same side, with the same views and aiming at the same ends; sometimes on opposite sides. Sometimes he has appeared in hearings before me, and sometimes I have appeared before him; and my observation of his course in all the varied relations and positions in which we have met, and in all the relations of life and society so far as I was able to observe the same, led to the highest respect and esteem on my part for him as a man, a citizen and an honorable counsellor. I fully concur with what has been so well said respecting his character, and I consider it a privilege to be permitted to join with my brethren of the profession to-day, in this tribute to his memory and his worth.

I first met Mr. Delano professionally in the case of

the Troy and Greenfield Railroad Company *vs.* Newton, reported in the first and eighth of Gray. This was an important case, presenting numerous questions of fact, and was referred to Mr. Delano as auditor. I well remember, and shall never forget while memory remains, his appearance at that hearing,—his personal appearance neat and clean cut—as well as the readiness with which he grasped the points in the case relating to the subscriptions to the capital stock of a railroad company, some unconditional, some conditional, and with various conditions; and his method and clearness in stating the results at which he arrived. His report in the case was considered a masterpiece by the counsel for the defendant, and deserved and received the commendation of the court. It rendered great aid to the counsel in the preparation and to the court in the consideration and decision of the case. In fact, when the report was made the work was practically done and well done; and I think that this power to state facts and legal propositions in writing, with method and clearness, which has been so well referred to here to-day, was most remarkable, and that his arguments as reported, in the days when arguments of counsel were deemed worthy of being reported, may to-day be studied with profit.

The industry and energy of Mr. Delano, his fidel-

ity to his clients, his extensive general reading, and the manner in which he kept abreast with all legal learning, and especially his familiarity with English chancery practice—amaze indeed—have been alluded to in becoming terms. His constant and careful study of English practice and decisions is well illustrated in the case of Potter *vs.* Ware in the first of Cushing, in which the counsel who made the writ and opened the case to the jury, was permitted, against the objection of Mr. Delano, to testify in behalf of his client, in accordance with a practice which to some extent prevailed in this state. In support of his exception, Mr. Delano cited, with other authorities, recent, in the opinion of the court, "very recent," decisions of an English court. He lost his case, our court holding that it might be proper for counsel so to testify, but I apprehend that the vigorous manner in which he condemned the practice, with the comments of the court, did much to create and establish the healthy sentiment against it which, I believe, now prevails in the profession. But I will not detain you longer, for I can only "tell you that which you yourselves do know."

REMARKS OF C. C. CONANT, Esq.,

OF GREENFIELD.

May it please the Court: The resolutions offered and seconded by the eloquent words of those of our brethren who have spoken are, I am sure, fully indorsed by the members of the Franklin Bar, in whose behalf I also second the resolutions. Of late years, especially, Mr. Delano has so frequently visited our courts and been so often engaged in important trials there, that he was as well known in the County of Franklin as any member of our own bar. We feel the common loss—we mourn his decease, and we claim with you, a share in his honorable fame. Mr. Delano was always earnest and zealous for his client; he had a clear understanding of questions of fact, and a wonderful familiarity with legal principles, and was always ready; no client's interests, I am sure, ever suffered at his hands for the lack of anything that zeal, earnestness and great learning could do.

It has been my lot on several occasions to be on the opposite side to him in cases of some importance, and I can truly say, he was always an honorable opponent, a fair-minded, generous adversary. There were no tricks, no underhanded ways, in any of his

methods. He endeavored to ground his cases upon some broad and underlying principle of law.

Mr. Delano, I think, had a high standard of professional courtesy. He was conscientious to a remarkable degree in the discharge of the responsible duties of his profession. It may not be improper for me to relate a single incident that came under my own observation. At one time, in our county, we had an important trial, that had lasted two or three days. Mr. Delano claimed a number of exceptions that the presiding Judge declined to allow. Mr. Delano determined to prove the exceptions in the Supreme Court, and prepared a statement at length of what he expected to prove, and presented it to the court at the law term. The opposing counsel, Judge Aiken and myself, took this statement, of several pages, and after carefully comparing it with the facts as we, from our side of the case, understood them, we were able to state to the full court that Mr. Delano had so fairly and so faithfully stated the whole case, our side as well as his, that there was no necessity for any witnesses. I state this fact as highly honorable to him, and as showing his conscientious fairness, for we all know how difficult it is to state our own side of a given case with entire impartiality.

I believe there is no profession that has a higher sense of true integrity, fidelity to trust, than our

own. The lawyer who is worthy to be called well-read, and a master of his profession, is day by day and year after year considering the distinctions between right and wrong; he balances in the even scales of justice, great questions of duty and obligation as they arise in many forms. I believe a good lawyer grows in the best and truest kind of integrity —the integrity of character. It leads him onward and upward to a higher sense of honor. I think this was eminently true of Mr. Delano. We shall miss his manly form among us, and long shall mourn his loss. May we emulate his virtues and rightly read the lessons of this occasion.

LETTER FROM DAVID AIKEN, Esq.,

OF GREENFIELD.

Hon. David Aiken, Esq., of Greenfield, who was unable to attend, wrote as follows: "Language would fail me were I to attempt to express my feelings of loss in the decease of Mr. Delano. To me it is more than a great public loss. It is the loss of a personal friend and professional brother longest in practice with me at the bar, now living. It is indeed a difficult thing to do for Mr. Delano, what he has done for others on like occasions so well, to pre-

sent a truthful and life-like sketch even, of the character and attainments of a deceased professional brother. This he could do to perfection. Among all the distinguished names of the members of the bar in the three river counties since I was admitted fifty years ago, Charles Delano deservedly takes a high rank. Few if any have excelled him in professional honor and success at the bar, and fewer still in his rare attainments in general scholarship and law and kindred branches of knowledge ; and on the equity side, he has had no superior. Almost, if not his first argument before the full court, when apparently a slender boy with his clean cut scholarly face, was made in an important equity case, which so attracted the attention of the court that he was complimented for his research in equity law, not then as well understood and practiced as now in this Commonwealth. By a letter from the Chief Justice (Shaw,) predictions then made were amply fulfilled in his after life. His death is universally lamented."

LETTER FROM W. B. C. PEARSONS, Esq., OF HOLYOKE.

W. B. C. Pearsons, Esq., of Holyoke, wrote as follows: "It is thirty-three years—a generation ! since I first became acquainted with Mr. Delano, and

though others were more intimate with him, I yet lament his loss to the profession and to Western Massachusetts. Physically, Mr. Delano was then an admirable figure—tall and dignified, slim and lithe, with the manners and appearance of a gentleman of the best school. Intellectually, also, he was a commanding figure. To a solid foundation of preparatory learning he added by incessant and arduous study a structure of technical and juridical knowledge, which, for solidity and beauty, is seldom equaled by members of our profession. He was a successful lawyer and advocate, and to gain success in his day was no slight matter, as it required combat with the brightest and keenest intellects of the three counties of the Connecticut valley. Early in his career he took rank with the first and was soon a peer among the giants. His habits of study and research, so different from many at the present day, furnished him with a full knowledge and understanding of his cause. Too much learning did *not* make him mad, but I am afraid his continuous labor and zeal to acquire learning affected his physical health and hastened his departure. If I was to distinguish any of the qualities of the man, I should affirm of Mr. Delano that he despised small and means things and all mean methods, and would not stop to countenance or practice either. Though he would doubt-

less take advantage of any weakness in his opponent's armor, as was his duty, yet I believe he would not do it by subterfuge or mean and creeping ways, but by honorable combat, fighting in all lawful methods with strictly lawful weapons, asking no odds of mortal. As a reliable and learned lawyer, a judicious counselor, a friend and citizen, we shall miss him more and more."

LETTER FROM E. B. GILLETTE, ESQ.,

OF WESTFIELD.

E. B. Gillette, Esq., of Westfield, was prostrate upon a sick bed, but sent by the hand of another his expression of his "deep regret that he would be unable to unite with the committee in tributes to the memory of his distinguished and accomplished friend, for whom he entertained sincere affection and admiration."

REMARKS OF HON. J. M. BARKER,

PRESIDING JUDGE.

The removal by death of a leader of the Bar is an event which necessarily impressed itself upon his associates and the public, and one which may most properly be formally brought, as in this instance to the attention of the court.

It is fitting that upon such occasions the dispatch of the public business should be suspended, and that we should address ourselves to the expression of a just appreciation of the attainments, the character and the work of the deceased, and of such lessons as may be best learned from their contemplation.

The chief justice, and several of the associate justices of this court have, since the death of Mr. Delano, expressed themselves to me as very sensible of the loss thereby sustained by the court, and the community; were any one of them presiding here on this occasion he could speak of Mr. Delano with more of knowledge than I, but with no more respect and esteem. The presence here of that one of the justices of the Supreme Judicial Court who was a townsman of Mr. Delano, testifies to the appreciation in which he was held by our highest court.

During the last few years it was my fortune to meet Mr. Delano in several matters here, having long known him by reputation as one of the most distinguished lawyers and advocates in the State. On one recent occasion we heard him in an argument in Berkshire. His learning, courtesy and dignity were apparent, and, at once, and without question, compelled recognition of his high place at the Bar. An afternoon in the Northampton town meeting last summer showed also that he had at heart the inter-

ests of the community in which he lived, was willing to discharge the duties of his citizenship, and knew how so to discharge them as to win the confidence and promote the welfare of his townsmen. To see him walking, in the summer afternoon, from his office to his rooms, with a handful of reviews or a book, was to recognize that he had the taste and found the time to cultivate himself with the best literature. There was in his personal presence so much of dignity and apparent power that one can readily believe that his daily life here tended to give tone and temper to the life of others, and that a true estimate of his services and worth should include not only what he did, but what his presence and example incited others to do, and withheld others from doing.

The position of leadership at the Bar of a county like this, and in a community like this, when attained at a ripe age, and as the combined result of good natural talent, learning, and wide experience not only in the actual trial of causes but in all the affairs of life, and held with dignity and courtesy, is a position worthy the ambition of any man.

The rewards of professional work in a great city are rich and dazzling ; but the life of such a man as our deceased brother, in this rural valley, is broader, deeper and stronger than his life would have been had he dwelt among the busier throngs of a metrop-

olis. To my view it comes very near to the ideal life of the ideal citizen.

Instructed in the law, and able in its administration, with pleasure to himself, to effectually serve the interests of justice ; familiar with the history and institutions of his country, and ready, at the call of the community, either to take part in its government or to retire to the quiet walks of his profession ; interested in the welfare of his neighbors and accustomed to exert for the common good any power or talent that he might possess ; conversant with good literature, and so kept in even sympathy with the best thought of the world ; dwelling in a thriving and growing town, where are found all necessary advantages of books and society, and surrounded with all forms of natural beauty ;—these things enabled him, and may enable any of us, to live a full, worthy, and honorable life, with reasonable measure of content and of power.

That such a life should miss the crowning glory of of a ripe and fruitful old age, is matter for regret to the courts whom it would have aided in the discharge of their responsible duties, to the Bar to whom it would have been an example and an honor, and to the community which it would have well served.

It is therefore with entire respect to the memory of your departed associate, and in full concurrence

with your estimate of his services and character, and with your sense of loss, that the court orders your resolutions to be entered on its records, with a memorandum of these proceedings, that it directs a copy of this record to be sent to the family of the deceased, and, in further token of respect to the memory of Mr. Delano, that it now adjourns.

Funeral Discourse.

BY REV. H. M. TYLER.

On the occurrence of the funeral services held at the Mansion House, January 25th, 1883, Rev. H. M. Tyler, spoke of Mr. Delano as follows :

It has been an old question about which the lines of theologic thought have been formed for battle whether we as persons are, properly speaking, individuals, or whether the community is the individual of which we are the different members. Whatever may have been the view taken of the original question, I am always impressed, on an occasion like this, with the thought how completely we are one. In our mourning, in our sense of loss, in the presence of death our interests and feelings are all in common. This is an office which makes us all one.

And so I feel to-day that I speak not for myself alone but for you all. Our words of sympathy and expression of esteem are a common offering. The flowers of earthly culture are at best of short con-

tinuance, but we love to gather our wreaths and chaplets and bring them in honor of the dead. As the procession of our every-day activity halts for a moment that we may offer our tributes culled from memory's garden, I can only, though it be with trembling hand, select here and there a garland, and lay it upon the breast of him who sleeps.

It is moreover pre-eminently fitting that to-day I should speak for all, because Mr. Delano was peculiarly a public man. Few, if any, of our generation and our community were known more widely than he. Not merely in the affairs of our town and county, but also in the interests of the state and country, as far as they could be reached from our retired community, his voice was heard, his touch was felt in aid of that which was for the public good.

In all of our local associations for mutual benefit he showed an earnest interest. In our organizations of public trust, in which Northampton is so rich, he was always a ready helper; with a large majority of them he was in one way or another personally connected. In our meetings of the town, in all our planning for the future we shall miss him—miss him, doubtless, more than even in the sadness of the hour we are able to appreciate.

I have often thought that there could be no more expressive inscription for the monument of a useful

man than that which was spoken of king David by the Christian preacher centuries after his day: "He served his generation and fell asleep." There is suggestive testimony given as to what we may write to-day in the different organizations represented here, mourning for the one who has fallen from their ranks. It is with pleasure in these days of temptation that you can add that no taint of dishonesty was associated with his name, no smirch of guilty bribe was ever upon his hand.

And yet his life was very far from being all of it in public. He was a man peculiarly devoted to his profession and to his home. I have likened him in his habit of remaining in Northampton, to the old sage of Athens, who never left the city unless called away for a campaign Seldom was Mr. Delano absent unless his work summoned him elsewhere. Of his life in his private associations I shrink from attempting to speak even a word. That which is best in a man's thought and feeling he does not display upon the public street, but in the little circle of those who are nearest he opens what is most precious in his life. Far be it from me even to seem to attempt to display what he never opened to the public himself. We can, however, say of such an one that the grief of those who knew him best is his most fitting memorial; their sorrow is his sweetest praise.

I should myself, moreover, feel guilty of unfaithfulness if I did not allude to his cordiality toward his friends. There are many here to join with me in testifying of the kindliness which showed itself in his acts. There were times when in a life like ours, and for a nature like his, it was absolutely necessary that he should be led into conflicts, and then the lance which he carried was driven by no feeble hand. The fire which was in his words came from no smouldering embers, but from a flame hot with ardent feeling; but there remained after it no noxious taint of rancor or ill-will. In it all was the spirit of a gentleman, inspired by gentleness of heart. Even when men knew how severe he could be, they would hesitate to detract from his intensity, lest they should take from him something of that which they valued most.

The members of his own profession, who are present here to-day, know far better than I can express it how pre-eminent was his position in their ranks. You will bear me out, I am sure, and more than bear me out in saying that among those whom he was wont to meet in his practice none were his superiors, few were his peers. In the traditions of the courts and in the general knowledge of his profession, he had accumulated such stores of information as are gathered, only by an active mind, after a long expe-

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rience like his. The problems of the law possessed a peculiar fascination for him. He loved to work upon them as the mathematician or astronomer will work upon his mysterious measurements and numbers. From early morning till late at night he pursued the questions back to the very sources of their meaning. And so the simple fact that he had reached a result was wont to carry persuasion with it. There was a conviction in men's minds that the question which he answered was answered right.

But his interest in study was not confined within the limits of his profession. He counted all knowledge his domain. There are traditions still left in his Alma Mater of his bright talent displayed in college life, and in all the years which have since elapsed, he has cultivated the same scholarly tastes. I myself, with many others, could bear testimony to the wide range of information which he had stored within his mind, and the breadth of the thought with which he handled the information when it was his own.

The word is spoken. I cease, not because I have said so much, but rather because I feel that I am saying so little. You yourselves are thinking far better than I can utter it.

For years past, Mr. Delano's friends had noticed that his strength was failing, and yet had hoped that

it would return again. He was blessed by nature with a sturdy, vigorous frame, and he was wont to work with it as if he had inexhaustible resources of strength from which to draw. The physical power waned, but the indomitable will drove it back to its constant tasks again. The days were days of weariness, and the evening brought not rest but exhaustion, but still at returning day he was at work again. It was as if in his determination

> "His fate cried out
> To make each petty artery in his body
> As hardy as the Nemean lion's nerve."

And so when the great conflict came, when the common enemy at last confronted him, he gained a victory as if in an empty field; every reserve had already been exhausted. There was no resource yet left which even such a will could muster.

Other Tributes of Esteem.

At a stated meeting of the corporators of the Clarke Institution for Deaf Mutes, the following resolutions were passed unanimously :—

Resolved,—That in the recent decease of the Hon. Charles Delano, this Board has lost a highly esteemed associate, an able legal adviser, and a willing worker for the prosperity of the Institution of which we have charge—that we deeply lament his death and heartily sympathize with his bereaved family.

Resolved,—That the foregoing resolution be entered upon our records, and a copy thereof be transmitted by the clerk to the widow of the deceased.

Attest, Samuel A. Fisk, Clerk.

Northampton, March 14, 1883.

Northampton, Feb. 27, 1883.

Mrs. Delano—*Dear Madame.*—At a meeting of the Public Library Committee, held on Saturday evening, last, it was voted that the enclosed resolutions be entered upon the records and a copy of them transmitted to the family of the deceased.

In accordance with that vote, I herewith forward a copy of those resolutions.

Yours truly,

J. R. TRUMBULL, Secretary.

Whereas,—This Board having been deprived by death of the services of its Chairman, as well as its most efficient and active member—Hon. CHARLES DELANO—Therefore,

Resolved,—That the Committee on the Public Library, while mourning with the community at large the loss of a man who held such a commanding position in the department of life he was called upon to fill, recognizes the present as a fitting opportunity to place upon record some slight testimony of esteem and regret for its late President.

Resolved,—That to him as Chairman of the Building Committee is largely owing the present well planned, thoroughly constructed, and attractive Library Building. Interested equally with others in the erection of the Memorial Hall and Public Library, he made that subject a special study. Elected to a position upon the Library Board of Management about the time of the occupancy of the present structure, in 1873, he has since that time evinced a deep concern in its welfare. Always solicitous for the best interests of the institution he cherished so highly, the last work of his life for it was in connection with the proposed erection of Memorial Tablets, thus completing and dedicating to its appropriate use one portion of the beautiful edifice in which as a whole he took such just pride.

Resolved,—That by his untiring industry and eminent attainments much has been added to the permanent value and usefulness of the Library. Placed by the unanimous voice of his associates at the head of the book purchasing committee, a position for which he was peculiarly well fitted and in the duties of which he took great delight, to him may be attributed not a little of its present growth and popularity. His constant scholarly habits—scarcely a day having passed during his busy professional life in which some time was not devoted to classical reading ; a large and varied acquaintance with the best literature of all ages ; a general knowledge of art, music, science, supplemented by daily study and research ; a broad culture which invariably taught him

the literary value of books, coupled with a genuine love for the work, were qualifications which the most superficial observer would readily appreciate. It was, however, only to his immediate associates that his real labors were best known. That which others would regard as drudgery was to him a pleasure. He gave to the institution he loved so well, from the harrassing and exacting details of a proverbially busy profession, his ripest thought and not a little of his valuable time.

At the annual town meeting, March 19th, 1883, the following resolutions were offered by H. S. Gere, and were received with unanimous consent. They were seconded by President L. C. Seelye in a few well-chosen remarks, and at his suggestion the vote on their adoption was taken by rising. The hall was well filled by citizens at the time, and when the vote was taken, the entire assembly seemed to rise, and the moderator declared the resolutions adopted unanimously.

Resolved,—That in the decease of the Hon. Charles Delano, the town has lost an eminent citizen, a safe and disinterested adviser, a zealous and able defender of its educational interests, and an eloquent and successful upholder of its material welfare and its good name. He had great abilities, a sound and discriminating judgment, a zeal commensurate with knowledge, and an integrity of character and purpose that stamped its impress upon all his efforts, and he gave them freely and honestly to the public service. His loyalty to the town of his adoption was conspicuous. He was proud of its history, jealous of its fame, watchful of its institutions, and for its distinguished men of former days he entertained a praiseworthy admiration. He labored for no selfish ends, and with no sinister motives. His ambition as a citizen was to serve the town for the good of the people. Amid an almost un-

broken series of triumphs in his profession for more than a third of a century, he never forgot his citizenship, or neglected the duties which it imposed. He was an habitual attendant at the town meetings, and was ever ready to advise and assist in guiding the action of the town in safe and honorable ways. With him, the rights of citizenship were a practical reality, and not a pastime. He came to the town meetings at the appointed time as a matter of duty, and he remained until the business was completed. His interest in public affairs was general and genuine. He never joined the multitude for the sake of being in the majority. He was thoroughly independent. He had plans, purposes, and convictions of his own, and the courage with which he maintained them was a pleasure to behold. The records of the town for a long series of years bear abundant testimony to the leading part he has taken in shaping its affairs. His influence in our municipal concerns for a full generation has been unmistakable. He was faithful to every trust, and prompt to respond to every call of his fellow-citizens. We miss his manly presence, his courteous and dignified bearing, his words of counsel so inseparably associated with the unquestioned integrity of the man, and his voice so earnest and eloquent in debate. It is fitting that the town in town meeting assembled, add its tribute to his worth and the value of his public services to the testimony of the Bar, of which he was a leading and distinguished member, and to the testimony of the Committee of the Public Library, in behalf of which institution he labored so long and with such conspicuous ability and devotion. It is now therefore further

Resolved,—That, as a testimonial of the town's appreciation of the great loss it has sustained in his death, these resolutions be entered upon the town records, and that a copy be sent by the Clerk to the family of the deceased.

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